

February 23, 2018

The Honorable Sherry R. Fallon
U.S. District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street, Room 6100, Unit 14
Wilmington, DE 19801

Re: Agrofresh Inc. v. Mirtech, Inc., and Others
(C.A. No 16-662-JFB-SRF)

Dear Judge Fallon:

I represent Defendants Mirtech Inc. and Nazir Mir in the above-captioned matter.

I am in receipt of an Amended Order Governing Patent Mediation Conferences and Mediation Statements as ordered by Your Honor on January 31, 2018 (Document # 152). In addition, Defendants have also received Plaintiffs' second set of requests for production dated December 8, 2017.

In Mr. Stover's February 22, 2018 correspondence to Your Honor, Mr. Stover asserts that I personally, have not attempted to gather documents from my client. If Mr. Stover has relevant knowledge of my client communications, perhaps he should present that information to the court.

In this regard Defendant respectfully submit that a Final Consent Judgment dated September 18, 2017 was passed by the Honorable Joseph F. Battalione, Senior United States District Judge (Document No 115). Term 6 at page 7 clearly provides,

Further terms of the parties' settlement are set forth in the Private Settlement Agreement, which are incorporated by reference and made part of this Final Consent Judgment. Failure to comply with any terms of the Private Settlement Agreement or this Final Consent Judgment shall be addressed to this Court under its exclusive jurisdiction.

Accordingly, Defendants Mirtech Inc. and Nazir Mir have fulfilled all their duties and obligations pursuant to the Private Settlement Agreement dated September 15, 2017. In addition, the Private Settlement Agreement provides for mutual release and no further litigation between the parties to the Final Consent Judgment. Hence, Defendants Mirtech and Nazir Mir are released and forever discharged from all claims of any kind from the beginning of time to the date of agreement, that were or could have been raised in relation to the allegations as set forth in

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the lawsuit. Therefore, Defendants respectfully request this court to delete them as parties to the Amended Order dated January 31, 2018 regarding Patent Mediation and, also issue appropriate instructions to Plaintiff Agrofresh Inc. to refrain from undue discovery request beyond the scope of the Final Consent Judgment with ulterior motive to re-litigate this matter.

Thank you for your kind consideration.

Very truly yours,

REAL WORLD LAW, P.C.

A handwritten signature in blue ink, appearing to read 'Glenn A. Brown', with a long horizontal flourish extending to the right.

GLENN A. BROWN, DMD, ESQUIRE

GAB/sm

cc: All Counsel of Record (via email only)